

- ii) ability to modulate human brain tissue organization;
- iii) ability to modulate interaction of human brain cells with brain extracellular matrix;
- iv) ability to modulate movement of human brain cells through brain extracellular matrix;
- v) ability to modulate growth of human brain cells;
- vi) ability to modulate proliferation of human brain cells;
- vii) ability to modulate differentiation of human brain cells;
- viii) ability to modulate adhesion between human brain cells; and
- ix) ability to modulate formation of neurological connections between human brain cells.

88. (New) The isolated nucleic acid molecule of claim 84, wherein the molecule has a length of at least 2800 nucleotide residues.

REMARKS

For the Examiner's convenience, Applicants have cancelled all the claims and added new claims 60-88. A "Table of New Claims and Corresponding Old Claim Numbers" is provided to show the correspondence between the cancelled claims and the new claims added herein. Also for the Examiner's convenience, Applicants have enclosed a "**Clean Copy of Claims**" in which the claims are listed as pending as of this amendment. Claims 60-88 are pending following entry of this Amendment. The addition of new claims made herein does not include new matter, and represents the replacement or amendment of previous claims, as illustrated by the enclosed table.

Applicants thank the Examiner for issuing another Office Action to correct the deficiencies seen in the previous communication. Applicants also thank the Examiner for indicating (in the Office Action Summary) that cancelled claims 37-40, 43-48, and 56 (now claims 75-85) are allowed, and for indicating (in the Office Action, at the bottom of page 7) that claims 41-42, 49, and 50 (now claims 73, 74, 86, and 87) are merely objected to for depending from a rejected claim.

Applicants believe that the Examiner may have intended to indicate claim 51 (new claim 88) as allowed; in fact, claim 51 is indicated as allowable at the bottom of page 7 of the Office Action, and is not included in the subset of otherwise allowable claims that are objected to because they “depend from a rejected claim.” Claim 51 (now claim 88), although rejected by the Examiner, depends from (and is narrower than) allowed claim 47 (now claim 84)(see Office Action Summary). Applicants invite the Examiner to correct the errors, and to inform Applicants if they are in error, if necessary.

Rejection of Claims 18, 41, and 42 Pursuant to 35 U.S.C. § 112, First Paragraph- Enablement and Written Description

On page 2 of the Office Action, the Examiner rejects claim 18 for not reasonably providing enablement “for any fragment of any size which may selectively hybridize to the nucleic acids of claim 1,” and for containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The Examiner also states that claims 41 and 42 are allowable but objected to only because they depend from claim 18.

Although Applicants respectfully disagree with the Examiner’s interpretation of the claim language, they have cancelled claim 18, thereby obviating the rejection.

Applicant has added new claims 73 and 74, which correspond to allowable claims 41 and 42. Thus, new claims 73 and 74 are allowable.

Rejection of Claims 1, 3-7, 16-18, 24-36, 47-48, 51, and 55 Pursuant to 35 U.S.C. § 112, First Paragraph- Enablement and Written Description

Claims 1, 3-7, 16-18, 24-36, 47-48, 51, and 55 stand rejected pursuant to 35 U.S.C. § 112, first paragraph (enablement) as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which

it is most nearly connected, to make and/or use the invention. Applicants respectfully disagree for at least the following reasons.

In particular, the Examiner objects to reference to percent identity and fragments in the claims without the further inclusion of a reference to biological function. The Examiner also suggests that Applicant refer to the “full” complements of the nucleic acid molecules of SEQ ID NOS:59 and 60 in claims that refer to such sequences.

New claims 75, 80 (former claims 37 and 43), and those depending therefrom, which include percent identity and fragments language, also include biological function language, as suggested by the Examiner. New claims 60, 61, and 67 (former claims 127, and 32), as well as in those depending therefrom, include the “full” complement language as suggested by the Examiner. Thus, as this new set of claims does not include language to which the Examiner objects, Applications request that the Examiner withdraw this rejection.

Objection to the Claims 41, 42, 49, and 50

On page 7 of the Office Action, the Examiner objects to claims 41, 42, 49, and 50 (now claims 73, 74, 86, and 87), as depending from a rejected claim. Applicants respectfully submit that claims 49 and 50 depend from claim 48 (new claim 86), which the Examiner has allowed (see Office Action Summary). Therefore, claims 49 and 50 (new claims 86 and 87) should also be allowed. Additionally, in case the Office Action Summary was in error with regard to the allowance of claim 48, arguments made herein demonstrate the present allowability of that claim.

As discussed above, claims 41 and 42 (new claims 73 and 74) incorporate elements from cancelled claim 18, said amendments made in response to the Examiner’s §112, first paragraph rejection of claim 18. Applicants respectfully submit that claims 41 and 42 (new claims 73 and 74) are in condition for allowance.

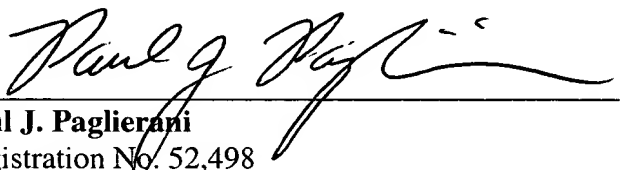
Summary

Applicants respectfully contend that each of pending claims 60-91 is in condition for allowance. Reconsideration and allowance of each of these claims are requested at the earliest possible time.

Respectfully submitted,
Millennium Pharmaceuticals, Inc.

3/28/03
(Date)

By: _____


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Enclosures: Table of New Claims and Corresponding Old Claim Numbers
Clean Copy of Claims